

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

IN RE STARBUCKS EMPLOYEE
GRATUITY LITIGATION

MASTER FILE
08 Civ. 3318 (LTS)

This Document Relates to:
All Actions

Class Action

**NOTICE OF MOTION AND MOTION FOR APPOINTMENT OF
INTERIM CLASS COUNSEL
(INCLUDING REQUEST FOR ORAL ARGUMENT)**

WOLF POPPER LLP

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Attorneys for Plaintiff Julianne Harayda and
Proposed Interim Class Counsel

PLEASE TAKE NOTICE that pursuant to Federal Rule of Civil Procedure 23(g)(3), Plaintiff Julianne Harayda (“Plaintiff,” “Harayda”) moves this Court, at the United States Courthouse, located at 500 Pearl St., Courtroom 17C, New York, New York 10007, for an order appointing Wolf Popper LLP as Interim Class Counsel, and for such other and further relief as is just. Plaintiff Harayda respectfully requests oral argument on the motion at such time as the Court determines is appropriate.

In accordance with the Court’s Individual Practice Item 2(B), counsel for Plaintiff Harayda has used best efforts to resolve class representation informally with Counsel for Barenboim Plaintiffs. These efforts have been unsuccessful, necessitating this motion.

In support of her motion, Plaintiff Harayda respectfully submits: (1) a Memorandum of Law, dated July 23, 2008; and (2) the Declaration of Michele Fried Raphael, dated July 23, 2008.

Dated: July 23, 2008

Respectfully submitted,

WOLF POPPER LLP

By: /s/ Michele F. Raphael

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Attorneys for Plaintiff Harayda and
Proposed Interim Class Counsel

PROOF OF SERVICE

I, the undersigned, declare under penalty of perjury that I am over the age of eighteen years and not a party to this action. I am employed with Wolf Popper LLP, whose offices are located in the City and State of New York. My business address is: 845 Third Avenue, New York, NY 10022.

That on July 23, 2008, via ECF, I served the foregoing documents entitled: NOTICE OF MOTION AND MOTION FOR APPOINTMENT OF INTERIM CLASS COUNSEL in this action, in particular on the following counsel for Barenboim Plaintiffs and Defendant Starbucks:

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Counsel for Defendant Starbucks

BY ELECTRONIC MEANS: I caused the above-referenced document to be uploaded onto the ECF system for the United States District Court, Southern District of New York.

I declare under penalty of perjury under the laws of the United States and the State of New York that the foregoing is true and correct.

Executed on July 23, 2008, New York, New York.

/s/ Michele F. Raphael

Michele F. Raphael